

PROB 12B
(7/93)

United States District Court
for
District of New Jersey
Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Jose Fernandez

Cr.: 2:08CR515-2
PACTS Number: 52327

Name of Sentencing Judicial Officer: The Honorable Susan D. Wigenton, U.S.D.J.

Date of Original Sentence: 01/13/09

Original Offense: Conspiracy to Commit Bank Fraud

Original Sentence: 33 months imprisonment, 3 years supervised release, full financial disclosure, no new debt and collections of DNA

Type of Supervision: Supervised Release

Date Supervision Commenced: 06/16/11

PETITIONING THE COURT

- ☐ To extend the term of supervision for Years, for a total term of Years.
☒ To modify the conditions of supervision as follows. The addition of the following special condition(s):

ALCOHOL/DRUG TESTING AND TREATMENT

You shall refrain from the illegal possession and use of drugs, including prescription medication not prescribed in your name, and the use of alcohol, and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that you shall submit to evaluation and treatment, on an outpatient or inpatient basis, as approved by the U.S. Probation Office. You shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged by the Court. You shall alert all medical professionals of any prior substance abuse history, including any prior history of prescription drug abuse. The Probation Officer shall supervise your compliance with this condition.

CAUSE

On June 26, 2011, the offender drove through a driving under the influence of alcohol checkpoint being conducted by the Elmwood Park Police Department. Upon approaching the vehicle, the officers detected the odor of alcohol emanating from inside the vehicle. He subsequently failed field sobriety tests and a breathalyzer test records his BAC as .111%. The offender was charged with Driving Under the Influence of Alcohol, Careless Driving and Reckless Driving.

Respectfully submitted,

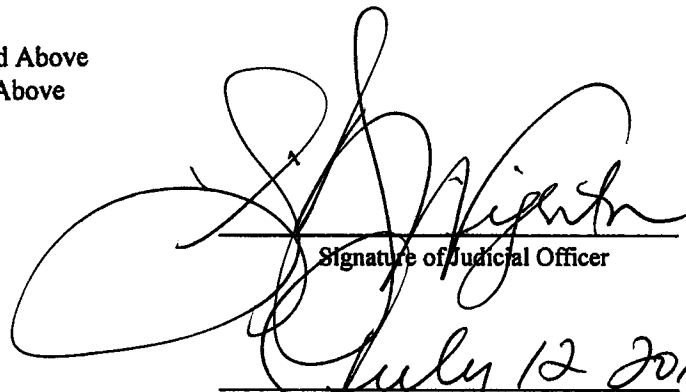
By: Patrick Hattersley
U.S. Probation Officer

Date: 07/11/11

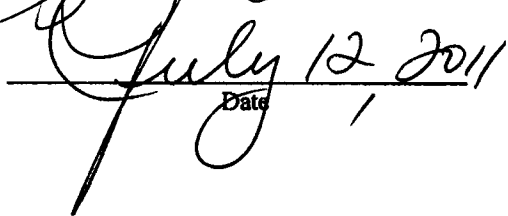
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Jose Fernandez

THE COURT ORDERS:

- ☒ The Modification of Conditions as Noted Above
- ☐ The Extension of Supervision as Noted Above
- ☐ No Action
- ☐ Other



Signature of Judicial Officer



Date